

UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF NORTH CAROLINA
Misc. No. 1:06MC46

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**ORDER ALLOWING EXPEDITED
BRIEFING SCHEDULE**

This matter is before the Court on Motion of Plaintiff, The SCO Group, Inc. “(SCO”), to Expedite the Briefing Schedule on SCO’s Motion to Enforce Subpoena and Compel Deposition of Non-Party Otis Wilson.

Mr. Wilson’s deposition testimony is sought by SCO in conjunction with litigation that is pending in the United States District Court for the District of Utah, *The SCO Group, Inc. v. International Business Machines, Inc.*, Case No. 2:03CV0294DAK (the “Utah litigation”). Due to discovery, summary judgment, and expert report deadlines in the Utah litigation, the Court finds that the Motion to Expedite the Briefing Schedule should be allowed.

WHEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Otis Wilson and/or IBM be required to file a Response Brief to SCO’s Motion to Enforce Subpoena and Compel Deposition, if any, by 19 April 2006 and that SCO be required to file a Reply Brief, if any, by 24 April 2006.

This the ____ day of April, 2006

United States District Court Judge